



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: DAVID, Guy

SERIAL NO.: 10/777,497

ART UNIT: 3725

FILED: February 12, 2004

EXAMINER: Pahng, J.Y.

TITLE: DEVICE FOR SEPARATING THE HARD COMPONENTS FOR A GRINDER USED IN THE FIELD OF THE FOOD INDUSTRY, AND IN PARTICULAR FOR THE MINCING OF MEAT

Amendment A: DRAWING AMENDMENTS

Please substitute the enclosed "Replacement Sheet" showing Figs. 1 - 3 in place of the original submitted drawings.

under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Additionally, the claims were objected to because of various language informalities. The Examiner has further required corrected drawings.

As an overview to the present reply, Applicant has extensively revised the original claim language in the form of new Claims 6 - 10. New Claims 6 - 10 express the original limitations found in Claims 1 - 5, respectively, but express such limitations in a more proper U.S. format, including proper antecedent bases and proper structural interrelationships throughout. Any indefinite terminology found in the original claim language has been corrected herein. In those circumstances where functional recitations are included, Applicant has adopted the "means-plus-function" terminology so as to specify functional relationships between the various components.

In particular, in new independent Claim 6, Applicant has emphasized the inclusion of the "counter-nut". In particular, it is now recited that the supporting grid is connected by a counter-nut to the collecting tube such that a relative rotation between the supporting grid and the collecting tube causes a change of distance between the separating cutter and the supporting grid. As a result, the present invention is able to allow various sizes of hard components to pass to the peripheral channels formed on the collecting tube. This also serves to properly distinguish the present invention from the prior art Richter patent.

The U.S. version of the Richter patent corresponds to the French patent identified in paragraph [0008] on page 3 of the original specification. In this paragraph, it is stated that:

In order to cope with this disadvantage, FR 2,474,342 provides a grid also perforated with holes over the periphery of the seat in which the end of the driving shaft rotates, while the collecting

tube is held externally against said grid and has holes which, according to the angular orientation of said tube with respect to said grid, are likely to be more or less closed, in order to control the size of the hard components. This device has however another disadvantage, indeed, the adjustment of the selection of the size of the hard components occurs downstream of the grid, which gives rise to frequent clogging incidents and requires interventions.

The "counter-nut 23" in the Richter patent does not allow for the adjustment of the depth of the collecting tube. This "counter-nut 23" is only a lock for maintaining the grids and the separating cutter within the housing. In particular, the item mentioned as item "23" in the Richter patent only states that:

The entire arrangement comprising the counter-ring 19 and the dual cutting set is secured in the housing part 10 by means of a screw collar ring 23 having internal threads 40 engaging external threads 41 on the end of housing 10.

As such, this "counter-nut 23" in the Richter patent is merely a closure mechanism on the housing. The rotation of the "counter-nut 23" does not, in any way, adjust the distance between the supporting grid and the separating cutters. As such, it is not possible to use this "counter-nut 23" in order to select a distance between the supporting grid and the separating cutter.

In contrast, the "counter-nut 23" is particularly provided in the present invention to adjust the depth of the collecting tube and to change the size of the space E. The changing of the space E allows the adjustment of the selection of the size of the hard components. The adjustability of the depth of the collecting tube is obtained by screwing it or unscrewing it without loosening the support grid thereby. On this basis, Applicant contends that independent Claim 6 is patentably distinguishable from the Richter patent.

Dependent Claims 7 - 10 correspond, respectively, to the limitations originally found in

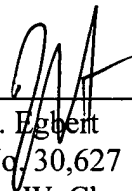
dependent Claims 2 - 5.

Applicant is enclosing a Replacement Sheet of drawings in place of the original "blurry" sheets that were included the original application.

Based upon the foregoing analysis, Applicant contends that independent Claim 6 is now in proper condition for allowance. Additionally, those claims which are dependent upon Claim 6 should also be in condition for allowance. Reconsideration of the rejections and allowance of the claims at an early date is earnestly solicited. Since no new claims have been added above those originally paid for, no additional fee is required.

Respectfully submitted,

3-27-06  
Date

  
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CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

Commissioner for Patents  
Portion. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached correspondence comprising:

AMENDMENT "A"

is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents  
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on

3.27.06

Respectfully submitted,

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